

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE PCT NATIONAL STAGE APPLICATION OF

BAGUTTI ET AL.

INTERNATIONAL APPLICATION NO: PCT/EP03/11382

FILED: 14 OCTOBER 2003

U.S. APPLICATION NO: 10/530,542

35 USC §371 DATE: October 27, 2005

FOR: METHODS FOR DETECTING TENEURIN SIGNALLING AND
RELATED SCREENING METHODS

Mail Stop: PCT
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

In response to the restriction requirement of November 29, 2007. Applicants hereby elect Group I, claims 1-9, 12, 13, and 31-33 drawn to a cleaved teneurin-1 and the cellular target PML, and a method for detecting teneurin-1 signaling, by detecting the amount of said cleaved teneurin-1 and the cellular target PML. Additionally, Applicants hereby elect GFP tag as their species election. This election is made with traverse.

It is stated in the Office Action that the application claims groups of inventions that are not so linked to form a general concept under PCT Rule 13.1. The Office Action groups the subject matter of the application into Groups 1-188 allegedly because the inventions listed therein do not relate to a single general inventive concept under PCT Rule 13.1

Applicants respectfully disagree, and submit that the present national stage application encompasses a group of inventions which are linked to form a single general inventive concept, i.e., detection of teneurin signaling, by a variety of readouts. Applicants respectfully submit that for purposes of examining the present application, there needn't be a distinction drawn by the Examiner between methods of detecting teneurin signaling by measuring (i) the cleavage product (e.g., cleaved teneurin-1), or (ii) the biological activity of cellular targets thereof (e.g., PML, zic, ponsin, p53, or myc). The teneurin signaling mechanism of action event is the same, and is elucidated for the first time by the present discovery, as described and claimed by the present application: that the cytoplasmic domain of teneurin contains transcriptional activity and

acts as a transcriptional modulator. A variety of signaling events and readouts are indicative of this transcriptional activity (or modulation thereof).

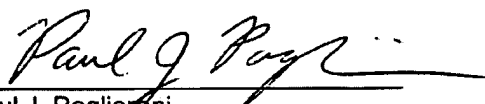
The Examiner would not be unduly burdened by conducting searches in the prior art for different readouts as indicators of teneurin signaling; her search would revolve around the same signaling pathway, irrespective of the number of possible readouts. The field of molecular biology is rife with examples of assays and detection methods which feature a useful variety of reporters of activity and function, yet are not arbitrarily placed in separate categories of invention as a result. Detecting cleavage products and detecting biological function of cellular targets of said products are points along the same spectrum, and should not be subject to independent treatment.

Applicant files a one month petition for extension of time herewith, and believes that no additional fees are due with this filing. However, if it is deemed that additional fees are required, the Commissioner is authorized to charge Deposit Account No. 19-0134 in the name of Novartis for any fees due.

An early and favorable action on the merits is respectfully requested.

Respectfully submitted,

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